

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

ALPINE SECURITIES CORPORATION,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 4/23/2018

Civil No. 1:17-CV-04179-DLC

Honorable Judge Denise L. Cote
Magistrate Judge Ronald L. Ellis

ECF CASE

**DEFENDANT'S NOTICE OF REQUEST FOR LEAVE TO SUBMIT AN
EXPERT DECLARATION, SAMPLE SARS, AND DEPOSITION
TESTIMONY WITH ITS MOTIONS FOR RECONSIDERATION**

PLEASE TAKE NOTICE that, pursuant to Local Rule 6.3, Defendant Alpine Securities Corporation (“Alpine”), by and through undersigned counsel, requests leave of Court to submit an expert declaration, sample Suspicious Activity Reports (“SARs”), and deposition testimony with its Motions for Reconsideration based on the following grounds:

1. Factual evidence, both lay and expert, were absent from the United States Securities and Exchange Commission’s (“SEC”) Motion for Partial Summary Judgment (“Motion”) as the SEC filed its Motion, upon invitation from the Court, prior to any depositions in this matter and expert disclosures.
2. After the full briefs were submitted on the SEC’s Motion, the parties have engaged in fact discovery and conducted a number of depositions with facts pertinent to the issues presented in the SEC’s Motion.
3. The Court’s March 30, 2018 Order and Opinion (“Opinion”) acknowledged the

lack of lay and expert testimony likely due to the Court's scheduling of the motions.

4. An expert declaration, additional sample SARs, and deposition testimony will aid the Court in its review of Alpine's Motions for Reconsideration.

Based on the foregoing, and for the reasons stated in the accompanying memorandum of law, Alpine respectfully requests leave of Court to submit an expert declaration, sample SARs and deposition testimony with its Motions for Reconsideration.

DATED this 20th day of April, 2018.

/s/ Maranda E. Fritz

Maranda E. Fritz
THOMPSON HINE
335 Madison Avenue, 12th Floor
New York, New York 10017-4611
Tel. 212.344.5680
Fax 212.344.6101
Email: Maranda.Fritz@thompsonhine.com

*Maranda E. Fritz
4/23/18*

Brent R. Baker (BB 8285)
Aaron D. Lebenta (*Pro Hac Vice*)
Jonathan D. Bletzacker (*Pro Hac Vice*)
CLYDE SNOW & SESSIONS
One Utah Center
201 South Main Street, Suite 1300
Salt Lake City, Utah 84111-2216
Telephone 801.322.2516
Facsimile 801.521.6280
Email: brb@clydesnow.com
adl@clydesnow.com
jdb@clydesnow.com

*Attorneys for Defendant
Alpine Securities Corporation*